

REMARKS

1. Claims 1-3, 6, 7, 9-14, 18, 19, 22 and 23 are rejected. Applicants traverse these rejections and respectfully request reconsideration of the rejected claims in light of the above amendments and following remarks. Claims 1-8, 15, 20 and 21 are canceled. Amended claims 1-3, 9-14, 18, 22 and 23 and new claims 24-26 are fully supported by the specification (see e.g., ¶ [0009]), and add no new matter. Claims 1-3, 9-14, 16-19 and 22-26 are pending and claims 1-3, 9-14, 18, 19 and 22-26 are presented for examination, of which claims 1, 9 and 18 are independent claims.

Objections to the Claims

2. Claim 22 is objected to for depending from canceled claim 20. The dependency of claim 22 has been corrected. Applicants respectfully request reconsideration of claim 22 and withdrawal of the objection.

Claim Rejections Under 35 U.S.C. §103

3. Claims 1-3, 7, 9-14, 18, 19 and 22-23 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent Application 2004/0124668 of Ogawa (“Ogawa”) in view of Sandrin, Applied Surface Science, Vol. 135, (1998), p. 339-349 (“Sandrin”). This rejection is respectfully traversed.

Ogawa discloses a vehicle body panel structure including an outer panel, an inner panel facing the outer panel, and a trim of a cabin interior. In the vehicle body panel structure, at least one surface of a back surface of the outer panel, both surfaces of the inner panel, and a surface of the trim facing the outer panel has both functions of heat insulation and heat dissipation by partially providing a heat insulation section to insulate heat for the at least one surface.

Sandrin is relied upon for disclosing that subjecting PET to a corona treatment oxidizes a surface of the PET for adhesion to aluminum. However, Sandrin fails to disclose any tangential relationship to headliners. “The claimed invention must be considered as a whole, and the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination.” *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. 481, 488 (Fed. Cir. 1984). In this case, Applicants respectfully submit that the Office has relied upon impermissible hindsight by using the Applicants’ application as a

template to fit together independent pieces of prior art. *See e.g., Interconnect Planning Corp. v. Feil*, 774 F.2d 1132; *Loctite Corp. v. Ultraseal Ltd.*, 781 F.2d 861; and *In re Fine*, 837 F.2d 1071.

Regarding claims 1, 9 and 18, although Ogawa discloses attaching a heat insulator sheet 6 on the upper part of the back surface of the outer panel 1 and then providing a high reflectivity material 5 thereon (see e.g., FIG. 5B and ¶ [0063]), Ogawa and Sandrin both fail to disclose or suggest a second film layer or a decorative layer disposed on the inboard surface of a core layer and exposed to the passenger compartment. Thus, neither Ogawa nor sandrin are enabling, “for placing the allegedly disclosed matter in the possession of the public.” *Akzo N.V. v. U.S. Int'l Trade Comm'n*, 1 U.S.P.Q. 2d 1241, 1245 (Fed. Cir. 1986). Moreover, a person of ordinary skill in the art would not have been led by Ogawa or Sandrin, nor inclined to try, adding a decorative layer to the inboard suface of Ogawa’s heat insulation treatment, because Ogawa’s implementations are all directed toward a vehicular door where the heat insulation treatment is confined and hidden within the door.

The air gap between Ogawa’s outer and inner panels 1,2 provides additional insulatory effects. Generally, headliners are offset from the vehicle roof with an air gap therebetween for insulatory reasons. Since Ogawa’s implementations all include an air gap between the door’s outer and inner panels (providing an insulatory region), a person of ordinary skill in the art would not have been led by Ogawa or Sandrin, separately or in combination, to apply a headliner directly onto the passenger compartment-facing inboard surface of a vehicle roof without any air gap therebeteween. Placing the headliner directly onto the passenger compartment-facing inboard surface of a vehicle roof provides extra head room in the passenger compartment and allows for more points of connection between the headliner and the vehicle roof.

In view of the foregoing, Applicants respectfully submit that claims 1, 9 and 18, and any dependent claims are patentable over the cited art of record. Applicants respectfully request reconsideration of the pending claims and a notice of allowance.

CONCLUSION

The attorney of record below invites the Examiner to call with any questions regarding this matter, so that we can continue to advance the prosecution of this matter.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment.

No charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 50-3145, referencing the above identified Attorney Docket Number.

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Respectfully submitted,

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